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MAR 21 2011
PCT LEGAL ADMINISTRATION

In re Application of :
Schneider et al. :
Application No.: 10/595,096 : DECISION
PCT No.: PCT/EP2004/008226 :
Int. Filing Date: 23 July 2004 : ON
Priority Date: 27 August 2003 :
Attorney Docket No.: PAT-01151/BC1-0226 : PETITION
For: Method For Producing Chromophore And/Or
Effect-Producing Multilayer Varnishes :
:

The petition to revive under 37 CFR 1.137(b) filed on 11 December 2009 in the above-captioned application is hereby **DISMISSED**, without prejudice, as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. No terminal disclaimer is required. The required reply (an oath or declaration compliant with 37 CFR 1.497(a) and (b)) has not been provided, for the following reasons.

Inspection of the executed declaration filed on 11 December 2009 reveals that it nominates "Patricia Kloppenborg" in lieu of "SCHNEIDER, Patricia" named in the published international application. MPEP 605.04(b) states in part that

Except for correction of a typographical or transliteration error in the spelling of an inventor's name, a request to have the name changed from the typewritten version to the signed version or any other corrections in the name of the inventor(s) will not be entertained, unless accompanied by a petition under 37 CFR 1.182 together with an appropriate petition fee.

In that the requested change clearly represents more than the correction of a typographical or transliteration error, a formal petition under 37 CFR 1.182 would be required in order for the change to be accepted. Any such petition should be accompanied by a first-hand statement, preferably by the inventor herself, stating the relevant facts. *See also* MPEP 1893.01(e).

Any request for reconsideration must be filed within **TWO (2) MONTHS** from the mail date of this Decision, extendable under 37 CFR 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration

Application No.:

-2-

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